

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 25, 2006

DIVISION ONE

B186438 People (Not for Publication)
v.
Eliza P.

The order is modified to provide a maximum period of imprisonment of four years. As so modified, it is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B177855 People (Not for Publication)
v.
Valera

Defendant's conviction for assault with a firearm (count 2) is affirmed. Defendant's conviction for attempted voluntary manslaughter, a lesser included offense of attempted murder (count 1), is reversed. The sentence is vacated and the matter is remanded for further proceedings.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

April 25, 2006 (Continued)

DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B186485 Los Angeles County, D.C.S. (Not for Publication)
v.
Alberto M.

The order is reversed as to the findings under paragraphs b-6 and b-7. In all other respects, the order is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Rothschild, J.

B180792 People (Not for Publication)
v.
Victorian

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Rothschild, J.

DIVISION THREE

B188452 Debbie B. (Not for Publication)
v.
Superior Court, Los Angeles County
(L.A. Department of Children and Family Services, r.p.i.)

The petition is denied.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B175450 Syngenta Crop Protection, Inc. (Certified for Publication)
v.
Paul E. Helliker, as Director, etc.
Gustafson LLC

Dow Argosciences LLC
v.
Paul E. Helliker, as Director, etc.

The judgment is affirmed as to the count for declaratory relief as modified by this opinion. The judgment on the other counts is reversed with directions to the superior court to vacate the summary adjudication against the counts alleging violation of Food and Agricultural Code section 12811.5, an unlawful taking, and violation of the Uniform Trade Secrets Act; grant summary adjudication in favor of Dow on the count challenging the validity of the Notice and amendments to sections 6170, 6172, and 6200 of title 3 of the California Code of Regulations; overrule the demurrers to the count for a writ of mandate; and conduct further proceedings consistent with this opinion. Each party must bear its own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B184759 In re Elizabeth C. et al (Not for Publication)
 Los Angeles County, D.C.S.
 v.
 Teresa M.

The orders are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B172533 Cornell Sterling Mayes et al., (Not for Publication)
v.
David C. Bryan etc et al.,

The judgment is affirmed. Each party to bear its own costs on appeal and cross-appeal.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B186078 Regan (Not for Publication)
v.
Office of Administrative Hearings of the State of California
Los Angeles Unified School District

The judgment is affirmed. Respondents and real party in interest are to recover costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B183111 People (Not for Publication)
v.
Padilla

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B184805 Los Angeles County, D.C.S. (Not for Publication)
v.
Gloria U.

The dispositional order is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B182763 People (Not for Publication)
v.
Espinoza

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Hastings, J. (Assigned)

April 25, 2006 (Continued)

DIVISION FOUR (Continued)

B180581 Hamrick (Not for Publication)
v.
Horace Mann Companies

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B186824 Rosser (Not for Publication)
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

Let a writ of mandate issue directing respondent court to vacate its order denying Rosser's motion to dismiss, and to enter a new and different order granting the motion.

Willhite, J.

We concur: Epstein, P.J.
Hastings, J. (Assigned)

B174881 People (Not for Publication)
v.
Luna et al.

The judgments are affirmed.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Willhite, J.

April 25, 2006 (Continued)

DIVISION FIVE

B179520 People (Not for Publication)
v.
Yerev Shabtay

The conviction in count 8 is reversed, and upon issuance of the remittitur, the trial court shall dismiss count 8. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

Each of the following:

B182388	People v. Lee
B179631	People v. Ramirez
B186780	DCFS v. July B.
B184534	People v. Daniel J.
B184413	People v. Francis
B185161	People v. Saunoa

Argument waived, cause submitted.

B182905 Anel City Fitness Corporation
v.
Conrad

Merits:
Argued by Michael Thornburg for appellant and by Daniel Gunning for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B181634 People
 v.
 Palacios

Merits:
Argued by Charlotte E. Costan for appellant and by Laura Hartquist,
Deputy Attorney General for respondent. Cause submitted.

B183050 Gallina et al.,
 v.
 Explorer Insurance Company

Merits:
Argued by John Gaule for appellants and by Alan B. Yuter for respondent.
Cause submitted.

B186032 Banner
 v.
 Remon et al.,

Merits:
Argued by Edward M. Cohen for appellant and by Malcolm G. Ellis for
respondents. Cause submitted.

B179793 Tavis
 v.
 Marjus, Inc. et al.

Merits:
Argued by Eugene D. Tavis for appellant and appearance only by Douglas
Benedon for respondents. The court denied appellant's request to file a
supplemental brief. Cause submitted.

DIVISION EIGHT (Continued)

B185656 Tara
 v.
 City of West Hollywood
 Waset, Inc. et al.,

Merits:

Argued by Katherine Trisolina for appellant and by Michael Jenkins for respondent and by James L. Arnone for real parties in interest. Cause submitted.

B175950 Barbush Rentals, Inc.,
 v.
 Daewoo of Los Angeles et al.,

Merits:

Argued by Kelly Johnson for appellant and by Steven Berardino for respondents. Cause submitted.

B185729 Los Angeles County, D.C.S.
 v.
 Jose I., Juana B.,
 In re Briana A.

Merits:

Argued by Joseph Mackenzie for appellants and by Kim Nemoy, Deputy County Counsel for respondent. Cause submitted.

B179815 Butler
 v.
 The Vons Companies, Inc. et al.,

Merits:

Argued by David deRubertis for appellant and by Michael J. Bononni for respondents. Cause submitted.

Court recessed at 12:53 p.m.

DIVISION EIGHT (Continued)

Court reconvened at 1:40 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

B181509 Castillo et al.,
 v.
 Los Angeles Unified School District

Appearances:
Calvin House for respondent. There was no appearance by Lee C. Arter for appellant. Argument waived, cause submitted.

B176669 Cain et al.,
 v.
 Holy Redeemer Catholic Church

Merits:
Argued by Thomas Jeffers for appellants and by Mary O'Neill for respondent. Cause submitted.

B170596 People
 v.
 Liao

Merits:
Argued by Dennis A. Fischer for appellant and by Scott A. Taryle, Deputy Attorney General for respondent. Cause submitted.

B182747 Los Angeles County, D.C.S.
 v.
 Wilbert S.,
 In re Damonique S.,

Merits:
Argued by Wilbert S., appellant in propria persona and by Judith A. Luby, Deputy County Counsel for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B187818 Charles Higgins II, et al.,
v.
Superior Court, Los Angeles County
(Disney/ABC International Television, Inc. et al., r.p.i.)

Merits:

Argued by Patrick Mesisca for petitioners and by Patricia Glaser for real parties in interest. Cause submitted.

Flier, J. left the bench.

B177535 Jackson
v.
Ullman
Pik

Appearances:

Eleanor Jackson, appellant in propria persona and Ross Paulson for respondent Ullman and Mark Rosenbaum for respondent Pik, In open court appellant's request to continue oral argument is denied. Argument waived, cause submitted.

B183512 Posser
v.
Osborne

Oral argument continued to May 30, 2006, at 9:00 a.m.

B181653 People
v.
Jones

Oral argument continued to May 30, 2006, at 1:00 p.m.

April 25, 2006 (Continued)

DIVISION EIGHT (Continued)

B177485 Hawks
 v.
 U.S. Traffic Corporation

Oral argument continued to May 30, 2006, at 1:00 p.m.

B184663 Klein et al.,
 v.
 North American

Oral argument continued to May 31, 2006, at 9:00 a.m.

Court adjourned.